

SCOTT N. SCHOOLS (SCSBN 9990)  
United States Attorney

FILED

2007 SEP 20 A 9:09

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EVERARDO VALENZUELA-RUIZ,

Defendant.

CR

No. 07

00598

VIOLATION: 8 U.S.C. § 1326 -  
Illegal Re-entry Following Deportation

SAN JOSE VENUE

INFORMATION

The United States Attorney charges:

On or about May 23, 2007, the defendant

EVERARDO VALENZUELA-RUIZ,

an alien, previously having been arrested and deported from the United States on or about February 10, 1989, March 9, 1993, August 17, 1994, March 10, 1999, October 5, 2001, August 25, 2003 and July 22, 2006, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a reapplication by the defendant for admission into the

//

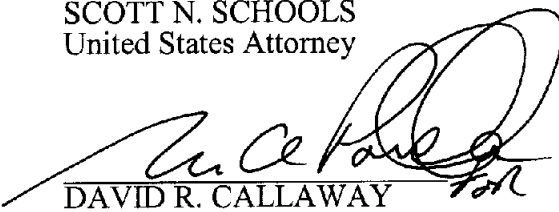
INFORMATION

JF  
HRL

1 United States, in violation of Title 8, United States Code, § 1326.

2  
3 DATED:

4 SCOTT N. SCHOOLS  
United States Attorney

5  
6   
7 DAVID R. CALLAWAY  
Deputy Chief, San Jose Branch

8  
9 Approved as to form:   
10 SAUSA Benjamin Kennedy

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☐ SUPERSEDINGName of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA**OFFENSE CHARGED**8 USC §. 1326 - Illegal Re-entry Following  
Deportation☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

2007 SEP 20 A 100 DEFENDANT - U.S.

RICHARD W. WIENECKE EVERARDO VALENZUELA-RUIZ

CLERK  
U.S. DISTRICT COURT DISTRICT COURT NUMBER  
NO. DIST. OF CA. S.I.**PENALTY:**20 years imprisonment  
\$250,000 fine  
3 years supervised release  
\$100 special assessment**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

S/A Tim Purdy - ICE

☐ person is awaiting trial in another Federal or State  
Court, give name of court☐ this person/proceeding is transferred from another  
district per (circle one) FRCrP 20, 21 or 40. Show  
District☐ this is a reprosecution of charges  
previously dismissed which were  
dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a  
pending case involving this same  
defendant☒ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.  
07-70517PVTName and Office of Person  
Furnishing Information on  
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

BENJAMIN KENNEDY

CR

07 00598

JF

**DEFENDANT****IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
- 1) ☐ If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution
- ☐ Fed'l ☐ State

Has detainer  
been filed? ☐ Yes ☐ NoIf "Yes"  
give date  
filed**DATE OF  
ARREST**

Month/Day/Year

Or... If Arresting Agency &amp; Warrant were not

Month/Day/Year

**DATE TRANSFERRED  
TO U.S. CUSTODY**☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons  
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_